

REMARKS

In the Office action mailed on August 4, 2008, the Examiner objected to claim 7 for including a trade name. In addition, the Examiner rejected claims 1-7 under 35 U.S.C. § 102(b) and objected to claims 8-10 as being dependent upon a rejected base claim. The Examiner noted on page 4 of the Office action that claims 8-10 would be allowable if rewritten in independent form.

By means of the present Amendment, claims 1-8 have been amended to address the trade name objection and matters of form. Applicants submit that no new matter has been introduced in the present Amendment. Support for these amendments may be found, for example, in the figures, originally-filed claim 1, and on pages 7 and 8 of the originally-filed specification (English Translation).

In view of the amendment to the Claims, together with the following remarks, Applicants respectfully request reconsideration and withdrawal of all grounds of rejection and objection.

Objection to Claim 7

The Examiner objected to claim 7 under 35 U.S.C. § 112, second paragraph because it contains the trademark or trade name DAVEX. To address this claim objection, Applicants have amended claim 7 to replace “DAVEX profile” with “profile comprising two parallel aligned strips and two parallel, opposite girders, whereby lateral ends of the girders project relative to the strips, the projections forming parallel flanges.” Support for the amendment can be found for example, in the figures, originally-filed claim 1, and on page 7 of the originally-filed specification. Applicants believe that the amendment to claim 7 addresses and cures any indefiniteness with this claim. Accordingly, Applicants respectfully request removal of the claim objection.

Rejection of Claims 1-7 Under 35 U.S.C. § 102(b)

Independent claim 1 stands rejected under 35 U.S.C. § 102(b) as being anticipated by International Application No. WO 03/045767 to Grüneklee et al. (hereinafter WO’767). In order for a claim to be anticipated, the prior art reference must teach each and every element of

Applicant's claim. Applicant respectfully submits that WO'767 fails to teach each any every element of Applicant's independent claim 1.

Applicant's claim 1 is directed to a junction structure for connecting two profiles (i.e., a first profile and a second profile). Claim 1 recites in-part that "the first profile at a location of connection has a recess into which the second profile is inserted on a front side." Additionally, claim 1 requires that "the first profile has a connecting projection in a vicinity of the recess on a side facing the front side of the inserted second profile".

WO'767 discloses a connecting element having two plug-type connections for connecting two hollow profiles. See, for example, abstract and the figures. That is, profiles (6, 7) of WO'767 are connected by inserting ends of the profiles into open ends formed by flanges 3a, 4a, and 3b, 4b of the connecting element (V_1). See for example, figures 1 and 2. There is no teaching or, for that matter, suggestion within WO'767 that a first profile at a location of connection has *a recess* into which a second profile is inserted on a front side as claimed by Applicants. WO'767 also fails to teach that the first profile has *a connecting projection* in a vicinity of the recess on a side facing the front side of the inserted second profile at least because there is no recess on the profiles (6, 7). In addition, WO'767 fails to show a connecting projection on either profile (6,7) or, for that matter, on connecting element (V_1). See figures of WO'767.

In order to anticipate Applicant's claim 1, WO'767 must teach each and every element claimed therein. Applicant respectfully submits that WO'767 does not anticipate claim 1, at least because WO'767 fails to disclose a profile that includes *a recess* into which the second profile is inserted on a front side. In addition, WO'767 fails to disclose Applicants' claimed *connecting projection*. As a result, Applicant requests reconsideration and removal of the 35 U.S.C. § 102(b) rejection of claim 1 and its dependent claims 2-7.

Applicants note that the Examiner did not reject claims 8-10 as being anticipated by WO'767.

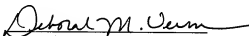
CONCLUSION

In view of the foregoing, Applicants respectfully submit that the claims 1-10 are in condition for allowance. Applicants respectfully request favorable action to allow all pending claims 1-10. The Examiner is welcome to contact Applicant's attorney at the number below with any questions.

Applicants have requested a one month extension of time until December 4, 2008 to enter this response, and authorize the Commissioner to charge any fees due in connection with this submission to Deposit Account No. 50-3081.

Respectfully submitted,

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